

Insurance Federation of Pennsylvania

www.ifpenn.org
215-665-0500

October 2, 2018

To: The Honorable Members of the House Committee on Labor and Industry

From: Samuel R. Marshall

Re: HB 1909 – extending workers comp coverage to all volunteers of fire and ambulance companies

We appreciate the bill's goal – to make sure that all those providing volunteer services for fire and ambulance companies get workers comp coverage.

As Rep. Phillips-Hill notes, the Workers Compensation Act currently covers only firemen and ambulance operators, and only when responding to fires or accidents, or when engaged in related drills and training. Other people volunteer, and they do things other than putting out fires or caring for people at the scene of an accident. That volunteer work is important (if far less risky) and needs to be encouraged, and that should include relief if these volunteers are hurt.

But giving this group of volunteers “firefighter” status and workers compensation coverage may not be the best approach. This could become costly for volunteer fire companies and ambulance corps, especially if the law’s presumptions of certain cancers and of Hep C as occupational illnesses are carried over to this expanded group of volunteers.

Some considerations in crafting a solution:

- A person injured while volunteering will often have other coverage and protection. He may have health insurance to cover any medical costs, and most employers will continue to pay me for awhile, and he may have disability coverage.
- And if the person’s own coverage and benefits weren’t enough, he could file a claim against the organization for which he was volunteering. It likely has a Commercial General Liability policy that covers volunteers.

- There can be gaps in that safety net: A volunteer may not have health insurance or a job that pays him or her while recovering from a non-work-related injury. And some entities – here, fire companies and ambulance corps - may not have liability coverage covering this type of volunteer activity.
- That's worth checking before lumping this category of volunteers into the same risk pool as those actually putting out fires and responding to accidents. That's especially true because our Workers Comp Act gives special status to those people in the areas of cancer and Hep C. That's already a challenge for the fire companies – it will be greatly magnified if it is extended to all volunteers.

Still, as Rep. Phillips-Hill notes, these other volunteers also need to be assured of protection if hurt while volunteering. And that may extend to a broader group of volunteers than those helping fire and ambulance companies – why not consider all those volunteering in the myriad of community organizations that are the backbone of our neighborhoods?

Volunteerism is important, and we should make sure those willing to step up to help their communities are properly protected. An assurance that volunteer organizations – here, fire and ambulance companies - have meaningful general liability coverage for their volunteers may be a better and more affordable approach than workers comp coverage, and we hope you consider it.

Thank you for the opportunity to be here today. We welcome the chance to work with Rep. Phillips-Hill and others on this.